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MAR 1 6 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/541,228

Applicants : Keiji HASUMI et al.

Filed : June 29, 2005

For : AFFINITY TRAP REACTOR AND

SINGLE-STEP PROCESS FOR PURIFYING ANGIOSTATIN-LIKE

FRAGMENT FROM HUMAN PLASMA...

Art Unit : 1614

Docket No.: 05360/HG

Confirm. No.: 4548

Customer No.: 01933

REPLY TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### Attention: Barbara A. Campbell

SIR:

This is in reply to the NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES mailed February 23, 2006, a response to which is due on April 23, 2006. A copy of said NOTIFICATION is being transmitted herewith.

TRANSMISSION PTO NO. 1-571-273-8300

CERTIFICATE OF FACSIMILE

1-571-273-9886

TOTAL PAGES: 5

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents on the date noted below.....

Attorney: Richard S. Barth

Dated: <u>March 16, 2006</u>

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

Said NOTIFICATION stated the following:

"This application does not contain, as a separate part of the disclosure on paper copy, a 'Sequence Listing' as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the 'Sequence Listing.'

A copy of the 'Sequence Listing' in computer readable form has not been submitted as required by 37 CFR 1.821(e)."

A Sequence Listing is not required for the following reasons.

37 CFR 1.821(a) defines a nucleotide and an amino acid in context of requiring a Sequence Listing as follows:

> "Nucleotide and/or amino acid sequences as used in §§1.821 through 1.825 are interpreted to mean an unbranched sequence of four or more amino acids or an unbranched sequence of ten or more nucleotides."

The above-identified application does not contain an unbranched sequence of four or more amino acids or an unbranched sequence of ten or more nucleotides. Accordingly, a Sequence Listing is not required.

The only disclosure of any amino acids or nucleotides in the above-identified application are on page 2, line 6 (Glu1-Ser441)

and page 2, lines 8 and 9 (Val<sup>442</sup>-Asn<sup>791</sup>). However, Glu<sup>1</sup>-Ser<sup>441</sup> and Val<sup>442</sup>-Asn<sup>791</sup> each do not recite a sequence of four or more amino acids, but rather two amino acids (one amino acid occurring at the beginning of a sequence and one amino acid occurring at the end of a sequence).

In view of the above, withdrawal of the requirement to submit a Sequence Listing is respectfully requested.

Respectfully submitted,

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Enc.: copy of NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES dated February 23, 2006

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NO. 9400 Page 1 of 2





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS Absorbin, Viginis 22013-1450 SWEDDERS OF TRADESS

ATTY, DOCKET NO. U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT 05360/HG Keiji Hasumi 10/541,228 INTERNATIONAL APPLICATION NO. PCT/JP03/00338 1933 PRIORITY DATE I.A. FILING DATE FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 01/17/2003 220 Fifth Avenue 16TH Floor NEW YORK, NY 10001-7708 **CONFIRMATION NO. 4548 371 FORMALITIES LETTER** OC000000018060761\* Date Mailed: 02/23/2006

# NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is Identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date Is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an Initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

## BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
10/541,228	PCT/JP03/00338	05360/HG

FORM PCT/DO/EO/922 (371 Formalities Notice)

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